Understanding Policy Reform in Colorado’s Domestic Violence Offender Treatment Standards

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Abstract

This study examines the perceived conditions leading to Colorado adopting revised Standards for treating domestic violence offenders from the perspective of Kingdon’s multiple streams theory. A within-case analysis of ten semi-structured interviews explores the Domestic Violence Offender Management Board in Colorado’s process for revising Colorado’s 2001 Treatment Standards. Findings suggest a benign political stream, supported by technically feasible and value-accepted policy ideas, feedback and indicators of the problem, promoted a favourable setting for change. At least two policy entrepreneurs championed the decision-making process. Agenda setting and policy formulation depended on three elements: feedback from existing programmes, indicators of continued difficulty in effectively treating offenders, and the existence of a suitable policy alternative. This study contributes a rare application of multiple streams theory to a criminal justice context in a sub-national government. Future research should explore whether the presence of a benign political stream influences the development and revision of domestic violence policy in other policy environments.

Keywords

Multiple streams theory; Sub-national agenda setting; Domestic violence; Policy setting; Treatment Standards

Introduction

The administration of government programmes involves iteratively implementing and revising rules, standards and procedures in response to feedback and learning from past efforts. An enacted policy or law may establish preliminary instructions and objectives, but the actual implementation of policy typically demands street-level learning (Petchey et al. 2008) alongside formal or informal evaluations. Whereas a number of studies...
have investigated how policy issues surface on national agendas and how policies change in national legislatures (Béland 2005; Kodate 2012; Maino and Neri 2011), agenda setting and policy change in sub-national governments remain understudied. Several exceptions include research on municipal emergency management (Henstra 2010), school district violence prevention (Robinson and Eller 2010), local implementation of central policy (Petchey et al. 2008), and the formulation of legislation to improve students’ academic performance (Brown 2007). These studies applied the multiple streams theory to understand how individuals at the sub-national level recognize problems, to test the independence of the streams, the influence of participants or interest groups, the role of policy windows, and the role of key stakeholders in problem identification.

The current study explores factors associated with the decision to revise the original Standards (hereafter referred to as 2001 Standards) in the state of Colorado, USA, for the provision of court-ordered domestic violence treatment services. Domestic or intimate partner violence is a widespread problem involving ongoing patterns of abusive behaviour and the exertion of power and control in relationships. Data from the National Violence Against Women Survey estimates 30 per cent of female and 24 per cent of male adults experience physical violence by an intimate partner over their lifetime (Carbone-Lopez et al. 2012). Survivors of domestic violence confront increased risk of depression (Fletcher 2010) and Black et al. (2011) observed eight in ten women and one in three men reporting fearfulness, concern for their safety or symptoms of post-traumatic stress disorder after experiencing domestic violence or stalking by an intimate partner. Domestic violence is a unique crime due to the personal nature of the relationship between the victim and the offender, where offenders physically, sexually, psychologically and financially abuse and/or stalk current or ex-intimate partners. Court-ordered treatment is the most common sanction imposed upon offenders by the criminal justice system for the crime of domestic violence. In the USA, nearly all states have ‘Standards’ that stipulate the treatment for court-ordered domestic violence offenders. In general, state Standards stipulate programmes’ length of treatment, modality, fees and provider qualifications, and focus on offender accountability and victim safety. One of the most progressive states in the USA for curbing domestic violence through offender treatment is Colorado. In 2010, Colorado’s Domestic Violence Offender Management Board (DVOMB) revised the Standards for Treatment with Court Ordered Domestic Violence Offenders (hereafter referred to as 2010 Revised Standards). The revision of the 2001 Standards marked an innovative approach to policy change in Colorado as one of the first states in the nation to adopt empirically-based Standards to domestic violence offender treatment grounded in evidence-based risk and needs assessment to inform an individualized treatment approach.

The purpose of the current research is to understand the factors precipitating the DVOMB’s decision to revise the 2001 Standards and the Board’s revision process. Understanding the process for reform may inform other public sector efforts to improve government agenda setting and policy directed at keeping communities and victims safe from violence. To organize
the multitude of potential explanations for policy change, the current article’s methods of data collection and analysis are guided by a major theory of policy change: multiple streams theory. Multiple streams theory originated 30 years ago in a study of agenda setting and alternative specification in national-level policy processes (Kingdon 1984). Since its inception, multiple streams theory has been recognized as a useful theory for understanding agenda setting and policy change (Cairney 2012; Parsons 1995; Zahariadis 1999, 2007).

The current study applies multiple streams theory to sub-national decision-making on the topic of domestic violence. Moreover, the present research derives practical recommendations from a local process of change in a state with progressive domestic violence laws for other state and local governing bodies. Through interviews and document analysis, this study identifies a supportive political stream that enabled a favourable setting for change through member co-operation and mutual respect. In addition, findings reveal revision of the 2001 Standards became a technically feasible and value-accepted policy idea through the support of at least two policy entrepreneurs.

**Multiple Streams Theory: An Overview**

For decades, policy scholars attempting to understand agenda setting and policy change have relied on a set of simplified assumptions to identify a manageable number of descriptive and explanatory factors (Sabatier 1991). Originally, theorists attempted to impose a rational, linear lens on the policy process by conceiving it to begin with the identification of a clear problem and follow with a selection among policy alternatives.

In 1984, John Kingdon provided an alternate and potentially more realistic vision of the policy process.¹ Through interviews of policy actors (e.g. legislators, bureaucrats, interest group leaders and scientists) across policy topics and over time, Kingdon recognized that government agendas did not follow rational, linear processes. At times, policy solutions propelled government agendas to the same extent as did problems. The process of agenda setting and alternative specification was not a rational one but, in fact, depended upon the right timing and the existence of a suitable combination of politics, solutions and problems.

Multiple streams theory of agenda setting and alternative policy specification developed through the application of Kingdon’s findings. Three semi-independent conceptual streams comprise the explanatory foundation of multiple streams theory. The first stream identifies problems policy actors elect to address based on indicators (scientific studies), focusing events (crises and disasters that attract public attention), and feedback from existing programmes (policy evaluations).² The second is a politics stream consisting of the national mood, party ideology, and the degree of political support for, or resistance to, ideas reaching the agenda. Lastly, the policy stream focuses on the presence of technically feasible policies that conform to policy actors’ ideologies or policies with high ‘value acceptability’ that are possible to implement.

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Multiple streams theory understands agenda setting and the specification of policy alternatives as occurring during a window of opportunity wherein a policy entrepreneur champions a particular idea or policy solution under favourable political conditions. Policy entrepreneurs present the expertise, leadership, and willingness to capitalize on windows of opportunity. Multiple streams theory has been applied in multiple contexts to address various research questions, predominantly regarding agenda setting and policy change at the national level. The current study uses multiple streams theory to guide the development of interview questions on the Colorado DVOMB’s revision process of the 2001 Standards for offender treatment. Based on the assumptions of multiple streams theory, we anticipate that the adoption of the new 2010 Revised Standards by the DVOMB will feature positive indicators from each stream and a supportive policy entrepreneur; that is, we expect to find the DVOMB capitalized upon a window of opportunity.

Background on Domestic Violence in Colorado and the DVOMB 2001 Standards

The Colorado Bureau of Investigation (2014) indicates there were a total of 15,522 individuals identified by Colorado law enforcement agencies as victims of domestic violence in 2013. When examining Colorado adults on probation in 2012, 11 per cent comprised domestic violence offenders, 30 per cent of whom were classified as maximum risk for violent recidivism and thus closely supervised (Colorado Judicial Branch 2013). To contextualize Colorado’s domestic violence problem, the state ranks number 18 in the USA in terms of its homicide rate of 1.32 female victims murdered by males in single victim/single offender incidents per 100,000 (Violence Policy Center 2012).

According to the DVOMB (2010) report, the need for consistency in the treatment of domestic violence offenders gained attention after the 1984 creation of mandatory arrest policies in Colorado. Various stakeholders reported concern that increases in the number of arrests and treatment referrals had created an unmet need for consistency in treatment across the state. In response, Colorado formed a statewide committee of domestic violence experts to create treatment Standards, which were completed in 1986. Subsequently, Colorado enacted a law mandating treatment for all convicted domestic violence offenders. This law established a State Commission to develop treatment Standards and oversee local boards charged with certifying and monitoring treatment providers for compliance with the 1986 treatment Standards. However, many in the practice community considered the law ineffective due to the unfunded mandates placed upon the State Commission and local boards, and the resistance of providers to be regulated by both the State Commission for treatment Standards and the Department of Regulatory Agencies for licensure. Based on practitioner concerns, the DVOMB was established in 2000 through House Bill 1263 to create Standards for the evaluation, treatment and monitoring of domestic violence offenders in Colorado, and to oversee the application and monitoring process for providers. The Board utilized the 1986 treatment Standards as a basis from which to author and improve the approach to treatment of domestic violence offenders.
The 2001 Standards developed by the DVOMB were implemented in January 2001. In 2005, the DVOMB began an active process of assessment and revision of Colorado’s 2001 Standards for court-ordered domestic violence offender treatment, and the revised Standards were implemented in 2010 (see Gover 2011 for additional information about the history of the Colorado DVOMB). The primary goal of the current study is to better understand the process the DVOMB utilized and to identify the factors that contributed to the 2005 decision to revise the 2001 Standards for offender treatment in Colorado. John Kingdom’s multiple streams theory guides the current study’s qualitative research design. It is anticipated that results from this study will provide an example of successful revision processes for state domestic violence offender treatment Standards.

**Methods of Data Collection**

The current study implemented a within-case analysis of the DVOMB 2001 Standards revision process through a semi-structured interview method. Kingdon’s (1995) multiple streams theory of agenda setting directed the development of questions tailored to detect the streams and to reconstruct events and decisions leading to the revision of the 2001 Standards (Tansey 2007). The DVOMB is a multidisciplinary team that consists of 19 appointed members and four support staff. Study participants included ten of the 19 DVOMB current members that staff identified as knowledgeable contributors to the revision process of the 2001 Standards. Participants from this non-probability sample were chosen from a list generated by DVOMB staff for the researchers and represented a cross-section of stakeholders, including DVOMB staff, law enforcement, judges, district attorneys, defence attorneys and treatment providers. Study participants presented a wide range of experience with the DVOMB. Whereas some had been involved with the DVOMB since the enactment of the legislation creating the Board, others had joined the Board more recently, at or near the time the Standards were revised. Turnover in board membership is primarily driven by the length of time an appointee is associated with an appointing authority. When an appointee vacates a position within the appointing authority’s organization, the appointee must be replaced on the DVOMB. At the time of participant selection, the staff identified that out of the 19 current DVOMB members, only ten were involved in the process of revising the Standards. Although ten may not be a substantial sample size, it comprises a large proportion of the stakeholders involved in the DVOMB revision process for offender treatment Standards.

Email solicitations to participate in a study on the 2010 revision of the Standards were sent to the ten identified contributors. The stakeholders were informed they were being contacted due to their involvement in or knowledge of the Colorado Domestic Violence Offender Treatment Standards to participate in a confidential semi-structured interview to better understand the factors that led to the revision of the 2001 Standards, and the process the DVOMB engaged in to revise the Standards. The researchers and interviewees subsequently arranged mutually agreeable dates and times to
conduct interviews, and each began with the researcher thanking the inter-
viewee for his or her participation and reminding the participant of the study’s
purpose. The researchers selected a semi-structured interview protocol based
on Kingdon’s (1995) assumption that three streams influence the creation or
adoption of a policy (see Appendix 1). Likewise, development of interview
questions emphasized gathering information on each of the streams as they
related to the revision of the Standards in 2010. Participation involved a single
interview lasting up to 60 minutes on participants’ knowledge of the Domestic
Violence Offender Treatment Standards revision process. Five interviews
were conducted face to face and five interviews were conducted over the
phone from 16 July 2012 to 31 August 2012. Data analysis involved qualitative
examination of participants’ responses to interview questions and is presented
in the next section.

Researcher notes were analyzed using the constant comparison analysis
method (Glaser and Strauss 1967), one of the most common analysis methods
for qualitative data (Leech and Onwuegbuzie 2007). Leech and Onwuegbuzie
(2007) demonstrated the usefulness of constant comparison analysis to identify
underlying themes in data resulting from one set of interviews. Accordingly,
the researchers analyzed the interview documents in order to identify themes
(Glaser 1969; Schilling 2006; Taylor and Bogdan 1998) as related to the
relevant streams in the interview protocol, comprising the problem stream,
the politics stream, the policy stream and the policy entrepreneurs/policy
window stream (see table 1). Constant comparison analysis fits the aim of this
study given the primary purpose to better understand the perceptions of the
stakeholders regarding the DVOMB Standards’ revision process. Constant
comparison analysis allows the researcher to ground the data through the
opinions and voices of the stakeholders (Strauss and Corbin 1994), and has
been used in research on mental health (Del Mauro and Williams 2013) and
adolescent dating violence (Draucker et al. 2012).

The researchers additionally reviewed public domain documents on the
following:

1. the Standards developed in 2001;
2. the revised Standards implemented in 2010; and
3. reports issued by the committee on completing the revisions to the 2001
Standards.

Each document was accessed via the public DVOMB website or requested
from DVOMB staff. The interviewer recorded participant responses via typed
notes that excluded any participant identifying information. Data storage
involved the use of numbered codes rather than interviewee names.

Results

The results are presented to describe antecedents to the revision of the 2001
Standards, particularly those related to ‘identifying novel political and social
phenomena, and systematically describing them’ (Collier 2011: 824). Emphasis
on policy change antecedents concurs with multiple streams theory, of which
temporal order is an important element. The below historical narrative offers insight into the process the DVOMB used to revise the 2001 Standards.

**Problem stream**

When the DVOMB was formed in 2000 there was little to no empirical research available to guide domestic violence offender treatment practice. Instead, experiential knowledge directed decision-making. Prior to the enactment forming the DVOMB, there were two failed attempts at passing similar legislation. The sponsor of the Bill insisted that the stakeholders work together toward consensus prior to the Bill being introduced a third time. The stakeholders worked for several months on revising the Bill, and once consensus had been reached, the legislation was reintroduced and passed. The first set of Standards in 2001 was created with little resistance. From a Kingdon’s multiple streams theory perspective, the presence of a problem stream regarding the revised Standards in 2010 is indicated by at least one of the following elements: indicators, focusing events, feedback, politics stream, policy stream, policy entrepreneurs, and a policy window.

**Indicators**

Multiple sources provide indicators of problems needing societal attention, including scientific or technical reports or programme evaluations. The interviews reveal evidence of several perceived indicators of the problem prior to the decision to revise the 2001 Standards. Respondents were asked about the role of technical information in the revision of the 2001 Standards, and most affirmed that there was overwhelming consensus among DVOMB members for research to inform the revisions. Other indicators came in the form of informal feedback with respect to shortcomings of the 2001 Standards. An application review committee was established in 2005 to formalize the screening process of providers for the appropriate qualifications. The DVOMB became aware through two key individuals that the District Attorneys (DAs) were not complying with the 2001 Standards’ directive to negotiate equal lengths of treatment regardless of offender risk levels. A meeting between the DAs, DA Council, and DVOMB raised the issues of validated risk assessment, and the use of a ‘cookie-cutter’ treatment approach. This discussion directed the DVOMB to consider the evidence available regarding the efficacy of risk assessment and treatment. The combination of the DVOMB’s desire to capitalize on research in decision-making and the emergent problem of DA non-compliance with the 2001 Standards mobilized the DVOMB to consider policy revision. Accordingly, the DVOMB established from the beginning of the revision process that any proposed changes must consider research-based best practices.

**Focusing events**

Focusing events attract the attention of the general public such as crises, natural disasters, major elections or political decision-making. Only two
respondents indicated knowledge of the focusing event that led to the creation of the DVOMB. Prior to the year 2000, previous commissions were charged with developing guidelines (though not mandated) for treatment of domestic violence offenders (see Gover 2011). Each judicial district’s chief judge was responsible for appointing a board to develop local guidelines for treatment. Interpretation of the guidelines varied between districts and in some cases chief judges never appointed a board. A possible focusing event then emerged where 17 of 22 DAs were replaced in one year due to term limits. The DVOMB quickly became aware that the DAs were negotiating different lengths and types of treatment for low versus high-level offenders, in spite of the 2001 Standards suggesting a minimum of 36 weeks of treatment for all offenders. This increased the focus on the issue and contributed to the DVOMB’s attention to individualized treatment, motivating the Board to consider revising the 2001 Standards.

**Feedback**

Feedback refers to the lessons drawn from formal and informal evaluation of government programmes. Nine participants reported opinions that the ineffectiveness of treatment programmes or high recidivism rates among treated offenders significantly influenced the Board’s decision to revise the 2001 Standards. Treatment providers reported difficulties in complying with the 2001 Standards and frustration with the process. All but one respondent reported that a potential cause of treatment failure was the 2001 Standards’ generalized or ‘cookie-cutter’ nature, with all offenders receiving 36 weeks of treatment irrespective of reoffending risk levels. This feedback directed the Board to prioritize improving offender risk assessment and reform the 2001 Standards to incorporate evidence-based individualized levels of treatment, including length of treatment. As one respondent reported, the discussion of individualized treatment ‘opened the door to science’ in the treatment of domestic violence offenders in Colorado.

Overall, both the interviews and document analysis consistently suggest that indicators of the problem and feedback from the ongoing implementation of the 2001 Standards were the most important factors in understanding the reforms to the 2001 Standards with less support for the importance of focusing events.

**Politics stream**

The respondents universally acknowledged a politically supportive climate throughout the revision process. Revision of the 2001 Standards did not require changes to legislation, empowering the DVOMB to create and implement changes as needed. Moreover, participants reported that the composition of the DVOMB facilitated the passage of the new 2010 Revised Standards, as the Board comprised a group of motivated and collegial advocates for change. Victim safety and offender accountability underscored the goals and guiding principles of the revision process prompting the Board to emphasize long-term behavioural change in offenders over short-term com-
pliance. Although two participants recalled attempts in the mid-2000s and 2011 to repeal mandatory arrest laws for probable cause in domestic violence cases, neither measure passed. Respondents claimed that the 2001 Standards would have been revised even in a politically divided climate, based on the need to consider special populations of offenders (e.g. LGBTQI).

Multiple streams theory predicts that windows of opportunity in the political stream materialize when support for change appears in both the general public and among decision-makers. Findings in the current study support this assumption. When describing the political climate in the state surrounding the revision of the 2001 Standards, most participants recounted a benign political environment. One participant indicated, ‘There was no political resistance. But at the same time, there wasn’t any real political support. It was a neutral political environment’. The same participant reported that ‘tough on crime’ ideologies facilitated a supportive political environment, ‘Domestic violence is not misnamed. It is an act of violence. Therefore, it is a public safety issue. It is hard for people to argue against public safety’. All respondents reiterated that two outcomes guided the Board in revising the 2001 Standards: victim safety and offender accountability.

Findings describe a political climate supportive of revising the 2001 Standards, characterized by benign politics and openness for change. Document analysis verifies participants’ descriptions, as the statute itself conferred broad powers to the Board to alter the 2001 Standards as needed without legislative oversight.

**Policy stream**

The DVOMB formally recognizes that effective evidence-based best practices require Board members to maintain ongoing knowledge of circulating research. The primary intent of revising the 2001 Standards was to improve treatment outcomes through eliminating one-size-fits-all offender treatment – an unintended consequence of the original Standards. All respondents recognized the lack of enforceability of uniform treatment programme quality requirements in the 2001 Standards. The 2010 Revised Standards provided standardization of the rules providers must follow in treating offenders across the state. This includes the parameters of evaluation and ongoing assessment that must be followed to determine an individualized approach to treatment. However, participants indicated barriers to implementation still persist.

Multiple streams theory proposes that policy streams supportive of change require the simultaneous availability of defined problems and plausible solutions. Decision-makers often seek to advocate for their favourite policies through waiting for the right timing or attaching their policy to the right problem (Kingdon 1984). Most respondents stated that several Board members routinely defined the problem as one-size-fits-all offender treatment and the viable solution to be individualized treatment based on level of risk.

Multiple streams theory determines the plausibility of available policy solutions through two criteria: value acceptability and technical feasibility. Several respondents reported some dissonance in the value acceptability of the
revisions, as quality assurance and consistency in implementation of the 2010 Revised Standards remains low. As one respondent stated, ‘The Standards are good, practice is problematic’.

The technical feasibility of the revisions required portability across the state, or the ability to apply the Standards irrespective of location. In addition, providers needed the capacity to implement the 2010 Revised Standards. Several participants reported that a major barrier to implementation of the 2010 Revised Standards is the lack of financial resources necessary to execute the mission of the new Standards. The Board is unable to effectively monitor compliance with the 2010 Revised Standards and offenders struggle to afford treatment. In addition, no information feedback loop exists with respect to the effectiveness of the 2010 Revised Standards. Although the Board can track the number of offenders assigned to each level of treatment, recidivism data are not available. Many respondents noted that two general fears existed and have not been realized: one is that the revisions of the 2001 Standards would lead to indeterminable sentences and the other is that treatment would go on forever.

Policy entrepreneurs/policy window

Multiple streams theory characterizes policy entrepreneurs as individuals with specific goals who are capable of steering legislators and others toward one outcome versus another. Respondents identified the entire Board as contributing to the revision of the 2001 Standards. A sub-committee of the Board worked on the revisions to the 2001 Standards and reported back to the full Board frequently. A vote of the full Board was necessary before the Standards could be adopted. Although a sub-group of the Board had substantive knowledge of the revisions process, the full Board gave feedback to the sub-committee during the process to influence the outcome. Board members broadly agreed that the timing was ideal to revise the 2001 Standards, although no one reported an urgency or external pressure to do so. Only one non-appointed community member was consistently identified as providing the voice of dissent in opposition of the revision to the 2001 Standards. However, this voice of dissent strengthened the DVOMB’s capability as a champion, requiring the Board to persuasively clarify its intent and justify its decision-making.

In addition, over half of the respondents in this study named two individuals as critical entrepreneurs supporting the policy revision. These two champions separately contributed a vast knowledge of research and vocal advocacy on behalf of victims’ issues. Although the individuals were seen as entrepreneurs in the effort to revise the 2001 Standards, most respondents likewise identified the 2010 Standards as a living document permitting the Board to revisit any unresolved issue, creating a somewhat perpetual policy window.

Main points of divergence

Not all respondents interpreted their experiences with the revision process in the same manner. Some believed that the available research was insufficient
to make solid determinations about how to revise the 2001 Standards, and others saw Board members ‘cherry-pick’ the research to support their own view. Those dissatisfied with the available evidence recognized that the DVOMB was limited by a lack of direct research available to guide the revision process. Evidence from separate risk assessment, offender treatment and substance abuse literatures was compiled and considered in determining the revisions. Respondents concerned with research limitations reported uncertainty over which research findings to trust. Because most Board members were not researchers, respondents reported a tendency to bolster the evidence offered by the individuals with the most research expertise. This speaks to the emergence of one individual identified by most as being the primary champion of the process. Others reported that although Board members understood the basic dynamics of domestic violence, many lacked sufficient expertise to determine the rigour of the research considered. Limited backlash to the 2010 Revised Standards occurred when a few community members attempted to repeal mandatory arrest laws and make treatment optional in a majority of cases, although neither measure was instituted.

**Conclusion**

Violence against women represents a broad reaching form of human rights violations visible in national and international policy agendas. Efforts by
feminists during the Women’s Movement in the USA led to significant legal and social gains in addressing the needs and support of domestic violence victims. Domestic violence offender treatment is an example of such a policy and has developed into the prevailing disposition strategy for domestic violence offenders. As a result, Standards that regulate offender treatment are relevant to the effectiveness of the policy response to this pervasive social problem. In 1999, only 25 states and the District of Columbia had Standards regulating the treatment of offenders convicted of committing violence against an intimate partner (Austin and Dankwort 1999). By 2008, that total increased to 44 (Maiuro and Eberle 2008). Some state Standards are legal requirements stipulating aspects of domestic violence offender treatment, while others are guidelines for such treatment and there are questions about the extent to which state Standards are implemented and assessed (Boal and Mankowski 2014). However, as Maiuro and Eberle (2008: 149) observed ‘... the process and regularity by which standards are updated and revised is not always clearly articulated’ but that ‘... such a revolution is taking place’.

The current study contributes one of the first theory-based examinations of a successful revision process in a state with a reputation for progressive and evidence-based domestic violence policy. Colorado’s experience in revising the Standards supports Maiuro’s and Eberle’s (2008) assertion that a ‘revolution is taking place’ with respect to domestic violence offender treatment. The effectiveness of domestic violence offender treatment on reducing recidivism and increasing safety for victims is one of the most extensively evaluated topics in domestic violence research (using both quasi-experimental and experimental designs). Overall, this research indicates that the effect size of treatment programmes for reducing recidivism is very small (Babcock et al. 2004). As a result, it is likely that other states similar to Colorado will recognize the need to reassess the extent to which their Standards are empirically-based.

The DVOMB’s evidence-based revision of the Standards eliminated the one-size fits all approach in favour of individualized offender treatment. This revision aligns with criminological research suggesting that offender criminal ‘specialization’ is rare, with most criminal careers representing those of ‘generalists’ (DeLisi et al. 2011; Gottfredson and Hirschi 1990; Piquero 2000; Piquero et al. 2002; Sampson and Laub 1993). Research evaluating the generalist versus specialist debate extends to domestic violence offenders (Piquero et al. 2006; Richards et al. 2013; Richards et al. 2014). Piquero et al.’s (2006) sample of domestic violence offenders predominantly comprised men presenting no or non-violent criminal histories, with violent criminal histories found in only one-third of offenders. Piquero et al. (2006) further identified variance in offending levels over time, with some offenders de-escalating and others maintaining or escalating aggression levels. Richards et al. (2013) likewise observed the rarity of offending specialization among the offending trajectories of both domestic violence and non-domestic violence offenders.

Based on research supporting the generalist perspective, the DVOMB developed a domestic violence risk and needs assessment (DVRNA) of predictors of overall offending documented in the general criminological litera-
ture. The DVOMB anticipates the evidence-based DVRNA will better detect risk factors for general reoffending and inform individualized treatment administration than would a screen exclusively targeting domestic violence risk factors.

This case study analysis on the perceived precipitating factors leading to the adoption of the 2010 Revised Standards for treating offenders of domestic violence in Colorado supports a multiple streams perspective of policy change. Specifically, findings suggest that feedback and indicators of the problem in a benign political stream with a technically feasible and value-accepted policy idea provided a setting conducive to policy change. In addition, the presence of two policy entrepreneurs directed the decision-making process in revising the Colorado 2001 Standards. Theoretically, this article contributes to a growing number of studies that apply multiple streams theory. In particular, the revision of the 2001 Standards demonstrates that each of the streams can serve as an important organizational tool informing the development of interview protocols (see Appendix 1) and analysis and interpretation of semi-structured interview data. Although several scholars (Béland 2005; Robinson and Eller 2010) effectually contend Kingdon’s (1995) streams lack conceptual independence, we find the assumption of independent streams irrelevant to the current study’s application of multiple streams theory as a tool organizing the inquiry. The organizational guidance provided by multiple streams theory to the issue of domestic violence offender treatment at the local context resulted in several theoretical insights. The setting involved actors with relatively homogenous values regarding victim safety and offender accountability. In this regard, the political stream was not a constraining factor, and interviewees involved in the DVOMB Standards’ revision process reported an atmosphere of support and co-operation. Two policy entrepreneurs led agenda setting and policy formulation using feedback from existing programmes, indicators of continued difficulty in effectively treating offenders and a feasible policy alternative. Given the within-case research design, the influence of local context on findings is unknown. However, based on the findings, we speculate that local context likely influenced the level of trust among actors on the DVOMB, helped people to recognize a problem and increased the ease in portability of the solution. Any such speculation, however, needs empirical exploration.

Further research should explore the generalizability of a benign political stream as identified in this instance of domestic violence policy change in Colorado. Arguably, the same regard for offender treatment may not be present in other communities and cultures. We expect, however, that when the political stream is benign, the presence of feedback, problem indicators and a plausible policy solution direct policy change. Overall, the story shared in this empirical analysis of the factors precipitating the 2010 Revised Standards in Colorado is a positive one. Acknowledging some divergence among DVOMB participants, the evidence suggests that decision-making processes were responsive to appropriate opportunities and sources of information. The research informing the revision process suggested Colorado’s one-size-fits-all approach may be ineffective, as treatment content, duration and delivery were not individualized. Likewise, the revision process considered evidence...
advising against exposing low-risk offenders to high-risk offenders during treatment (Andrews and Bonta 2010). Colorado’s revised 2010 Standards represent a differentiated model to offender treatment and enable treatment providers to separate offenders based on risk level.

Colorado is an example of a state that engaged in a unique process that resulted in policy that can potentially impact recidivism, and is a good example of adaptation in a specific policy context. Although within-case analysis limits generalizable conclusions, it is possible for other states to draw lessons from the findings. For example, states could structure a process to consider and evaluate relevant research and stakeholder feedback. A standardized training for Board members on the established process may further facilitate other states’ revisions. Due to the novelty of evidence-based Standards reform, the DVOMB lacked models of revision from other states, and research cohesively addressing risk assessment, offender treatment and substance abuse for direct application to policy design. Other states could replicate the Board’s prioritization of research-based reform through establishing a protocol for compiling, reviewing, and incorporating fragmented but relevant evidence. Lastly, interviewees identified two leaders as driving the DVOMB’s revision process. Other states could mobilize policy entrepreneurs through outreach to key stakeholders in the field and community, and insulate against obstructionism through Board trainings on group dynamics, appointing a trained facilitator as Board chair, and establishing a formalized process of decision-making and agenda setting.

There is justifiable optimism that the 2010 Revised Standards will strengthen the DVOMB’s mission of victim safety and offender accountability. The next step for research should include conducting a process and outcome evaluation of the 2010 Revised Standards.

Appendix 1: Interview Protocol

Introduction

Thank you for taking the time to participate in the interview today. As a reminder, the purpose of the research is to better understand the process the DVOMB used to revise the Standards. The interview will take up to 60 minutes, and please feel free to ask questions if something is unclear.

Opening/ice breaking questions

1. What role do you play in relation to the DVOMB?
   
   Probe: How long have you been involved with the issue?
   
   Probe: How did you get involved with this issue?

Problem stream

1. What was the climate, or mood, leading up to the revision of the Standards?
Probe: Did people sense there was a problem that needed to be addressed? 
Probe: How did you know?

2. Why were the Standards revisited?
Probe: What led the Board to revise the Standards?

3. What role, if any, did technical information play in the revision of the Standards? (stream of policy)
Probe: Academic versus government reports? Other evidence?
Probe: Would the revisions of the Standards been changed without this information?
Probe: Did it lead to changes in beliefs? Did it reinforce/formalize current understandings?
Probe: What role did research play, if any, in guiding the development of the revised Standards?

Politics stream

1. Describe the political climate in the state on this issue leading up to the revision of the Standards.
Probe: Was this political climate supportive of revising the Standards? How about among judges, and in the intimate partner violence community?
Probe: If the political climate was not supportive, would the Standards still have been revised?

2. Discuss any principles or values you believe guided the Board in revising the Standards.
Probe: Was victim safety a concern?
Probe: Did the Board utilize evidence-based information to inform the revisions?
Probe: What was the role of protecting victims versus offender treatment needs?

Policy stream

1. Regarding the idea for the new revised Standards, was the idea mentioned among DVOMB members prior to adoption?
Probe: For how long? By how many?
Probe: Was there any particular person or persons who strongly supported this idea prior to the adoption?

2. How technical feasibility are these Standards to implement? (meaning, are they workable on the ground?)
Probe: Are these Standards easily monitored? Enforced?
Probe: Did you anticipate any problems with monitoring?
Probe: Did you anticipate any communication barriers?

3. How do the mechanisms for improving outcomes in IPV issues in the state in the revised Standards different than the previous Standards? (trying to get at the perceived connections between revised Standards and actual outcomes)
a. Describe the difference.
b. Does this difference reflect the best science? Empirical data?
c. Were there any concerns that the Standards could be feasibly implemented?
d. Were there anticipated barriers to implementation?

3. What challenges or obstacles, if any, did the Board members have to rectify in reaching consensus on the revisions of the Standards?

Probe: How did you overcome the obstacles?

Policy entrepreneurs/policy window

1. Was there anyone championing revisions to the Standards in the state?
   Probe: Who was the primary leader in this effort? Was it part of their job?
   Probe: What did they do to support the revisions of the Standards?
   Probe: Did this person(s) believe the timing was right?
   Probe: Would the changes have happened without this person?
   Probe: For how long did this person(s) advocate for the revised Standards?
   Did they link the revised Standards idea with a problem at a time with the right political mood in the state?

2. What resources did the DVOMB have available to consider all needed revisions?

3. What process was followed to development the revisions by the leaders on the Board?

4. Describe how the Board members accessed information to make decisions regarding the revisions.

5. Was there recognition among Board members that this was the right time to revise the Standards?
   Probe: If so, how did the Board know it was the right time to revise the Standards?
   Probe: If so, what does the ‘right time’ mean?

6. To what extent was there hesitation or support by people in the field (people involved in implementation) for the revised Standards prior to adoption?
   Probe: Do you know of any organizations or groups not supportive of the Standards?
   Probe: How did you handle it when others were not supportive of the Standards?
   Probe: Did the organizations or groups influence the design or content of the Standards at all?

7. Describe any hesitation or considerations by the DVOMB when revising the Standards.

Conclusion of interview/wrap-up

1. How is it going now?
2. How could it be improved?
3. What works well with this Board?
4. We have talked a lot about the process used to revise the Standards. If you had to summarize, why would you say the Standards were revised?

Thank you for your time today.

Acknowledgements

We would like to thank the members of the Domestic Violence Offender Management Board for participating in, and supporting, this project.

Notes

1. This article provides a brief summary of the multiple streams theory. For more information, see Kingdon (1984), Protopsaltis (2011), and Zahariadis (1999, 2007).
2. Zahariadis (2007) also lists ‘loading’ under this category.
3. Membership representation includes: prosecuting attorney, law enforcement, victim services, department of human services, community treatment providers, department of public safety, judge, department of regulatory agencies, defence attorney, public defender, department of corrections and the judicial department.
4. An example is the lesbian, gay, bisexual, transgendered, questioning, and intersex (LGBTQI) populations.
5. At that time, remaining states without Standards include Arkansas, Connecticut, Mississippi, New York, South Dakota and Wyoming.

References


